

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,      )  
    ) 08 C 0237  
v.                                      ) Judge John Darrah  
    )  
FUND\$ IN THE AMOUNT              )  
OF \$101,999.78, et. al.          )  
    )

**GOVERNMENT'S MOTION FOR LEAVE TO FILE  
ITS RESPONSE TO CLAIMANTS'  
MOTION FOR JUDGMENT ON THE PLEADINGS, INSTANTER**

Now comes the UNITED STATES OF AMERICA, by its attorney, PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, and moves for leave to file its response *instanter*. In support of its motion, the government states as follows:

1.     The government's response was due on May 22, 2008.
2.     Government counsel overlooked the due date due to a docketing error on her part.
3.     The government apologizes to the court and to the claimants for any inconvenience that the delay may have caused.

WHEREFORE, the government respectfully requests that this Court grant it leave to file its response to the claimants' motion *instanter*.

Respectfully Submitted,

PATRICK J. FITZGERALD  
United States Attorney

BY: /s/ Madeleine S. Murphy  
MADELEINE S. MURPHY  
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CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that in accordance with Federal Rules of Criminal Procedure 49 and 5, and Local Rule 5.5 and the General Order on Electronic Case Filing (ECF), the foregoing document:

**GOVERNMENT'S MOTION FOR LEAVE TO FILE  
ITS RESPONSE TO CLAIMANTS'  
MOTION FOR JUDGMENT ON THE PLEADINGS, *INSTANTER***

was, on June 11, 2008 served pursuant to the district court's ECF system as to ECF filers.

s/ Madeleine S. Murphy  
MADELEINE S. MURPHY  
Assistant United States Attorney